Iowa Department of Education

SEPTEMBER 2005

Resources for Iowa School Leaders

#### **NEWS FROM THE DE**

#### **Help for Hurricane Victims**

Many schools have called to ask how they can help schoolchildren and families who are victims of the recent hurricanes along the Gulf Coast. Because of the magnitude and severity of the damage involved, conditions in the affected areas are unsanitary and at times dangerous, and communication is very difficult. It is very important that relief and assistance efforts be coordinated through official channels. Individuals should not attempt to travel to the Gulf area on their own, nor should they send any supplies or assistance without working through official channels such as the Red Cross (<a href="www.redcross.org">www.redcross.org</a>) or the Salvation Army (<a href="www.salvationarmyusa.org">www.salvationarmyusa.org</a>)

The Governor's office is in communication with federal officials in charge of the relief efforts along the Gulf Coast, and is coordinating and dispatching assistance that can be provided by lowa state agencies, such as public health experts and law enforcement personnel. We have notified them of districts' ability to provide transportation to lowa via school bus, enrollment in school, and willingness to secure housing for students and their families. Each AEA and community college has identified a person who will coordinate assistance efforts (including things like donations, available housing, etc.) in their region. The AEA list is attached. All district staff are encouraged to work with these coordinators in their assistance efforts.

According to the Red Cross, most schoolchildren will be temporarily relocated to completely different school buildings – in some cases across state lines – so they can continue their education while their homes and cities are being rebuilt. Please note that if lowa districts receive any of these students:

- They may be enrolled (per lowa Code 282.1 and <u>federal homeless law</u>) as "temporary residents," which allows them to access our K-12 public education without paying tuition.
- The students would be counted in the September enrollment (provided they arrive by Sept. 16), are immediately eligible for athletics, and would receive the same services as regularly enrolled students.
- Schools should be prepared for the students to arrive without transcripts or school records. The Louisiana Department of Education has an extensive student information system, so will be able to provide some data on these students to school districts that are receiving them. Otherwise, districts may evaluate the educational history of the students based on information from the parents or what records they may have. If the students are secondary students, districts may grant credit and make grade level placement decisions based on testing the students' knowledge (similar to the process undertaken when a CPI student wants to regularly enroll).
- Arriving students also may not have immunization records. Iowa Public Health allows students to be
  enrolled under a "provisional certificate," which allows a 60-day immunization waiver. IDPH will develop
  quidelines to address a more long-term situation if that need arises.
- Districts will receive additional information early next week about emergency feeding of schoolchildren coming to lowa from the Gulf region.
- Questions? Contact your DE school improvement consultant.

# **Progress on State Priorities**

**EARLY CHILDHOOD EDUCATION:** 

• The 2005 General Assembly passed House File (HF) 761, requiring each school district to administer the Dynamic Indicators of Basic Early Literacy Skills (DIBELS) or other kindergarten benchmark assessment to every kindergarten student no later than October 1, 2005. Districts are required to report the results to the Iowa Department of Education (DE). The DE has sent guidance to all superintendents that explains the assessment options and reporting requirements. Questions? Contact Penny Milburn at pmilburn@iastate.edu or 515/727-0656.

#### FOCUS ON HIGH SCHOOLS:

Progress to date on various initiatives and ongoing activities:

- The DE has collected baseline data on local districts' current graduation requirements and the districts' plans to increase graduation requirements from each district.
- Facilitator training (the lowa version of Breaking Ranks II) has been completed with 26 individuals; the second phase of training is in process. The facilitators will work locally to build awareness about need for change, knowledge of data resources, and skills for development.
- Recommendations for high school change from the local perspective were drafted and presented to the State Board in August. The recommendations came as a result of information gathered during the 12 community conversations and 85 High School Review Visits last spring. Visit the DE high schools webpage for all updated documents and reports: <a href="http://www.state.ia.us/educate/ecese/fohs/index.html">http://www.state.ia.us/educate/ecese/fohs/index.html</a>.
- The State Board has endorsed the DE document "Improving Rigor and Relevance in the High School Curriculum," which has been distributed to all districts and also is posted on the DE website at <a href="http://www.state.ia.us/educate/ecese/fohs/index.html">http://www.state.ia.us/educate/ecese/fohs/index.html</a>. The document is designed to help districts define and implement rigor and relevance at the local level.
- The High Schools That Work network continues to meet and share information with interested districts.
- The Charter School network continues to meet and support each other and share information.
- Every Student Counts has expanded to provide professional development in math strategies for middle and high schools.
- Every Child Reads has expanded to provide professional development in reading strategies for middle and high school struggling readers.
- The Statewide Support Team provides support to SINA schools.
- Resources to help students develop individual 4-year high school/career plans are being researched and developed.
- The Statewide High School Leadership Team will continue to meet and coordinate support and integrate resources for high school improvement.

#### Upcoming activities:

- ICN information sessions on high school curriculum will be scheduled this fall.
- A second annual High School Summit is scheduled for January 23-24, 2006 in Des Moines. SAI will be
  forwarding registration information to superintendents and principals in October. Featured speakers
  include Dr. Willard Daggett and Larry Gloeckler from the International Center for Leadership in
  Education. The International Center has partnered with the Council of Chief State School Officers and
  the Bill and Melinda Gates Foundation to share successful models of high school reform across the
  country. Additional presenters will represent Iowa schools and regional/national efforts that have
  resulted in successful system change with positive student outcomes.
- Judy Jeffrey plans to visit each AEA in meetings similar to the High School Review Visits, to discuss how we can support high school rigor and relevance at the local level.
- Additional high school review visits will be scheduled in each region; these visits will include involvement from educators and students.
- DE will partner with higher education community and other education stakeholders to develop model core concepts and skills as required by SF 245.

#### TRANSITIONS: A SEAMLESS EDUCATION SYSTEM

 DE Director Judy Jeffery plans to meet with the administration at each community college for reviews similar to the High School Review Visits last spring.

### SCHOOL IMPROVEMENT

### "lowa Choices" - Iowa's Career Information Delivery System

"lowa Choices" career tools will be provided -- at no cost to the district -- for the middle, junior and high school students of lowa, thanks to a collaboration between the lowa College Aid Commission (ICSAC), the College Planning Center (CPC), and the lowa Department of Education. Within the next several weeks, each high school will be provided with the "Choices Planner," and each middle/junior high school will be provided with

"Choices Explorer." These tools will help educators assist students in planning for their future and in selecting school courses to support their goals.

For additional information and training, contact Megan Hogan, ICSAC, <u>megan.hogan@iowa.gov</u>; or Linda Berg, DE, <u>Linda.berg@iowa.gov</u> for career and occupational resources.

# **Anti-bullying Manual Available Online**

The DE's new "Preventing Bullying and Harassment -- A Support Manual for Iowa's Sample District Harassment and Bullying Policy" will be distributed to all superintendents at the September monthly meeting. It also is located online at <a href="http://www.state.ia.us/educate/ecese/cfcs/sdfsc/resources.html">http://www.state.ia.us/educate/ecese/cfcs/sdfsc/resources.html</a>. As a reminder, the sample policy can be found at <a href="http://www.state.ia.us/educate/governor/bh/index.html">http://www.state.ia.us/educate/governor/bh/index.html</a>.

### "A Nation Deceived" Update

The report "A Nation Deceived: How Schools Hold Back America's Brightest Students" was released on September 20, 2004. The National Association for Gifted Children (NAGC) endorsed the report. It is now one year since the report has been released and the Belin-Blank Center in cooperation with the lowa Department of Education is conducting a one-year assessment of the report's impact on education.

Please take a moment to participate in this very brief, anonymous survey (10 items), which is available online to educators in Iowa. The survey is available beginning September 1, 2005 at <a href="https://www.nationdeceived.org/survey">www.nationdeceived.org/survey</a>.

Questions? Contact Rosanne Malek at rosanne.malek@iowa.gov or 515/281-3199.

### **Orientation for School Improvement Visits**

There will be orientation sessions for school districts having school improvement visits during the 2005-2006 school year. The sessions will be held twice in each AEA. The locations and times for those orientations are listed in the schedule attached to this issue of the School Leader Update.

Please note that there will be a separate orientation for those districts having a school improvement visit with a focus on equity. That session will be at the Urbandale Public Library located at 3520 86<sup>th</sup> Street in Urbandale, lowa from 1:00-4:00 p.m. on September 19, 2005. If your district is scheduled for a visit with a focus on equity, it is recommended that you attend the Urbandale session only. That session will include the information you need to prepare for both the school improvement and the equity component of the visit.

We strongly encourage your attendance at these orientation sessions. Past experience has shown that the orientation reduces some of the apprehension districts have about the visits and that participation in the orientation contributes to making the visits a more positive experience for both the district and the visiting team.

#### **APR Readers Needed**

The Department invites all educators to participate as an APR reader. We will be training and reading Annual Progress Reports on September 28 and 29 from 9 a.m. until 4 p.m. each day. The training and reading will be at the DMACC Conference Center in Ankeny, Iowa.

For more information, and to sign up to participate as an APR reader, please go to the following website: <a href="http://www.state.ia.us/educate/ecese/asis/csi/aprsys.html">http://www.state.ia.us/educate/ecese/asis/csi/aprsys.html</a>.

#### **Volunteer For a Site Visit Team**

lowa educators are encouraged to volunteer to participate on one of the DE's site visits scheduled for the 05-06 school year. Serving on a site visit team has many benefits: It helps participants understand site visit expectations and the preparation process, and also allows educators to obtain in-depth information and examples from other districts. You'll find the site visit schedule at <a href="https://www.state.ia.us/educate/ecese/asis/csi/sv.html">www.state.ia.us/educate/ecese/asis/csi/sv.html</a>.

For more information, contact Annette Mathieu at 515/281-3170 or annette.mathieu@iowa.gov.

#### Iowa Learning Technology Commission Meets, Begins Grant Process

House File 739, passed in 2005, created the lowa Learning Technology Commission. The Commission's primary role is to administer the lowa Learning Technology Initiative, including the creation of pilot programs, implemented through local and public-private partnerships, that may include one-to-one student learning technology as well as other innovative technology concepts.

The Commission has seven voting members, appointed by the House and Senate, and 17 ex-officio members including four legislators and members of the State Board's Technology Advisory Committee. A list of

commission members is attached. The first meeting of the Commission was Friday, August 26 and will meet again Friday, September 23. The web site for the Iowa Learning Technology Commission: <a href="http://homepage.mac.com/albodespanish/iltc/iltc.html">http://homepage.mac.com/albodespanish/iltc/iltc.html</a>.

The legislature awarded the Commission, through the Department of Education, \$500,000 for innovative technology pilots. The Commission plans to award grants for pilots sometime around the first of the year. This means the process to apply for grants will occur sometime in October/November. The Department of Education is providing support for the Commission. The Commission and DE staff members are working together to develop grant award criteria as well as a structure for the grant application process. Access to this process will be available on a to-be-developed website for the Commission that will be linked to the Department's webpage. Questions? Contact Jeff Berger at 515/281-3399 or jeff.berger@iowa.gov.

#### **Remember These Waiver Dates**

- New Innovative School Year (for the 2006-2007 school year) due by November 1, 2005
- Continued Innovative School Year (for the 2006-2007 school year) due by November 1, 2005
- Chapter 12 Exemption Request Forms (for the 2006-2007 school year) due January 1, 2006 Waiver forms are posted at <a href="https://www.state.ia.us/educate/ecese/asis/waivers/index.html">www.state.ia.us/educate/ecese/asis/waivers/index.html</a>.

Waivers and required documentation should be sent to Del Hoover, Deputy Division Administrator, Division of Early Childhood, Elementary & Secondary Education, Iowa Department of Education, Grimes State Office Building, Des Moines, IA 50319

### **Accreditation Update**

Accreditation rule 12.4(14) regarding physical examinations for all staff members (except bus drivers) is going to be amended. Presently, the rule requires districts and accredited nonpublic schools to require a preservice physical examination AND a physical every three years thereafter. The rule is going to be rewritten to just require the preservice physical. Although the change in the rule will not be effective until roughly February 1, 2006, school administrators should cease to require the "every three year" physicals at this time. Schools will NOT be cited for an accreditation violation for not enforcing the rule pending the change. Furthermore, school administrators should consult their local legal counsel as to whether *choosing* to continue to require the period physical examinations of all staff violates the Americans with Disabilities Act (ADA).

#### **QUALITY TEACHING**

#### **Behavioral Supports Conference Scheduled**

The Iowa Department of Education, through the Iowa Behavioral Alliance, is sponsoring the conference, "Implementing Positive Behavioral Supports" on September 18-20 at the Scheman Center, at Iowa State University in Ames. This conference features four nationally recognized speakers: Dr. Rob Horner, Director of the Center for Positive Behavioral Interventions and Supports at the University of Oregon; Dr. Tim Lewis, Professor at the University of Missouri; Dr. Lucille Eber, Statewide Coordinator of the Illinois Positive Behavior Interventions and Supports Network; and Dr. Hank Bohanon-Edmonson, Professor at Loyola University. The conference has sessions for educators, families and other stakeholders at all levels of interest and knowledge about positive behavior supports. Registration is \$25 per person, or \$20 per person for teams of four or more. To register, see the attached brochure.

### **Special Education Appeal Hearing Decision Summary**

The SLU will periodically summarize special education appeal hearing decisions.

This special education due process involved a 17-year-old student with Attention Deficit Disorder and significant Learning Disabilities who had failed a drug screen test and was facing possible expulsion from his home school district. The student and his parents had previously agreed to certain expectations regarding his continued attendance at school following an earlier drug related incident. Among these conditions were that the student would see a drug counselor provided by the school district, do community service, not skip classes, attend AA meetings and be subject to random drug screening.

Before proceeding with possible expulsion, a manifestation determination meeting was held to determine the relationship of the student's drug related behavior to his disability. The team was not able to reach a consensus on all of the questions related to this process. Following this process, the school district exercised what it believed to be its authority to place the student into a 45-day interim alternative setting because of the

drug-related issues. Initially this was homebound instruction and later a specialized program in a nearby district primarily serving students with serious behavioral disorders. The parents felt that this program was too restrictive for their son but had agreed to such, pending the outcome of the hearing.

The parents of this youth asserted that the functional behavioral assessment and behavioral intervention plan that had been developed for their son following his first drug-related offense failed to address the primary behavior of concern (possessing drugs and/or drug related materials at school). The parents also believed that the process for choosing an interim educational setting was not followed correctly and that their son had subsequently been served in a more restrictive placement than that which would be appropriate.

A final issue brought forth in this hearing was the question of whether a full continuum of programs and services were considered by the LEA in arriving at the proposed placement for this student. The parents further named the Iowa Department of Education in this issue for allegedly failing to meet the state education responsibility in assuring that a full continuum is considered for meeting the needs of students with disabilities in Iowa.

It was found that this student had been denied an appropriate special education program across several dimensions, including key program elements of an individualized education program based on a functional behavioral assessment and a behavioral intervention plan designed to address the student's behaviors of concern. It was also found that the action against the lowa Department of Education was founded in relation to the state's general supervision responsibilities in assuring least restrictive environment provisions for students with disabilities.

The complete text of the decision is located at <a href="http://www.state.ia.us/educate/dc/ad/">http://www.state.ia.us/educate/dc/ad/</a>. Questions? Contact Dee Ann Wilson, deeann.wilson@iowa.gov; 515/281-5766.

#### **SCHOOL FUNDING AND GRANTS**

### SDFS Budget Information

The 2005-2006 allocations and budget for Safe and Drug-Free Schools and Communities (SDFS) is now posted at <a href="http://www.edinfo.state.ia.us">http://www.edinfo.state.ia.us</a>. Just as last year, superintendents will use the district's password to access the budget. Districts that used the "REAP-flex" funds last year, or intend to do so this year, must still go to the SDFSC budget page to make that indication. Note that budgeted items must align with the district's Comprehensive School Improvement Plan. If a district's quarterly reports have not been completed and certified, the budget for 2005-2006 will not be unlocked. Also, the Annual Progress Report to those districts that did not REAP-flex must be completed and submitted.

The SDFS budget is to be completed by October 15, 2005. Questions? Contact Tana Mullen at 515/281-5614 or <a href="mailto:Tana.Mullen@iowa.gov">Tana.Mullen@iowa.gov</a>.

### Title II, Part A – Federal Teacher Quality Program

Title II, Part A allocations for the 2005-06 school year and the budget application form will be posted on the Department's website on or before September 12. The deadline for filing the budget application with the Department is **October 28, 2005**. As in the past, allocations will be distributed to school districts once all district budget applications have been received and approved. The listing of allocations will be accessible at <a href="https://www.state.ia.us/educate/ecese/ftqp/allocations.html">www.state.ia.us/educate/ecese/ftqp/allocations.html</a> and the budget application forms will be accessible at <a href="https://www.state.ia.us/educate/ecese/ftqp/index.html">www.state.ia.us/educate/ecese/ftqp/index.html</a>. Contact: Jim Reese, 515/281-4158 or <a href="min.reese@jowa.gov">jim.reese@jowa.gov</a>.

#### Title V, Part A - Innovative Programs

Title V, Part A is an extremely flexible funding stream that school districts can use to:

- Support local education reform efforts consistent with statewide efforts.
- Implement promising educational reform programs and school improvement programs based on scientifically based research.
- Provide a continuing source of innovation and education improvement that includes support programs to provide library services and instructional and media materials.
- Meet the educational needs of all students.
- Develop and implement education programs to improve school, student, and teacher performance, including professional development activities and class size reduction programs.

Title V, Part A allocations for the 2005-06 school year and all application and budget forms will be posted on the Department's website on or before September 12. The deadline for filing the 2005-06 budget application and the 2004-05 year-end final report with the Department is **October 28, 2005**. As with the Title II, Part A program, allocations will be distributed to school districts once all district 2005-06 budget applications and 2004-05 year-

end reports have been received and approved. *This is a significant change from past years*. The listing of allocations as well as the budget application and year-end final report will be accessible at <a href="https://www.state.ia.us/educate/ecese/is/ippcp/index.html">www.state.ia.us/educate/ecese/is/ippcp/index.html</a>. Contact: Ray Morley at 515/281-3966 or <a href="mailto:ray.morley@iowa.gov">ray.morley@iowa.gov</a>.

### Rural Education Achievement Program (REAP)

The federal allocations under the Small Rural Schools Achievement Program awarded directly by the Secretary of the U. S. Department of Education to eligible school districts for fiscal year 2005 have not been posted. Eligible school districts should periodically check the following website for fiscal year 2005 allocations: <a href="https://www.ed.gov/programs/reapsrsa/awards.html">www.ed.gov/programs/reapsrsa/awards.html</a>. Information about application for these funds can be found at this site as well. As happened last year, Iowa will not receive funds under the Rural and Low-Income School Program of REAP and so subgrants will not be available for the 2005-06 school year. Contact: Jim Reese at 515-281-4158 or jim.reese@jowa.gov.

#### LEGAL LESSONS

### Appeal Decision on Removal of a Book from Curriculum

This recent (finalized at the August 11 State Board meeting) appeal decision is instructive of the crucial difference legally between banning a book from a school library and removing it from the curriculum.

In this case, a local school board removed a book (*The Misfits* by James Howe) from its 6<sup>th</sup> grade curriculum after a parent complained. The book explores the hurt that unkind names and labels can cause. Its message is that students have the right to be who they are without fear of persecution or name-calling. The story, told about four 7<sup>th</sup> grade students (self-proclaimed "misfits"), describes their experiences as social outcasts each for very distinct reasons; one of the students for being gay.

While one parent did complain about the sexual orientation of one of the main characters, the local board made it clear that it based its decision to remove the book from the curriculum on the *age appropriateness* of the book for 6<sup>th</sup> graders. The local board did not remove the book from the school library; any student may still access the book. Removal from the library would have been unconstitutional. Removal from the curriculum for reasons based on dogmatic concerns would also have been unconstitutional. The local board's decision was upheld by the State Board because the local board (1) kept the book in the library and (2) articulated a lawful reason – age appropriateness – to remove the book from the 6<sup>th</sup> grade curriculum. It is also important to note that the State Board of Education does not sit as a 'super school board' substituting its judgment for that of the elected board officials. As the reviewing board, the State Board cannot substitute its judgment for that of a local board.

The State Board did take the extraordinary step of issuing a policy statement at the end of the decision. It is repeated verbatim herein:

#### **Policy Statement from the State Board**

The full decision is at:

Of paramount concern to us is our desire that this Decision not be viewed by either party or any reader as agreement with the decision reached by the local Board to remove *The Misfits* from the 6<sup>th</sup> grade curriculum. We acknowledge in this Decision that the Pleasant Valley School Board has the right to make curricular decisions and we further acknowledge that the local Board did not remove access to the book from any student. However, we recognize that permissible removal of a book from curricula is one step away from impermissible removal of a book from school libraries. We emphasize that our schools should be venues for the free exchange of ideas. We are troubled by any local board action that gives the appearance of seeking to squelch such free exchange of ideas.

Additionally, the primary focus of *The Misfits* clearly was a positive, anti-bullying message. To that end, we attach to this Decision the Resolution passed by this Board on August 1, 2002, which stressed the need for aggressive leadership in providing safe learning environments for our children. This Board wishes to remind school administrators and board members of our responsibility to send a clear message to all children *that they shall be safe in their schools*. [The Resolution is attached as a word document.]

www.state.ia.us/educate/dc/ad/doc/Slagle%20(Pleasant%20Vallev%20book%20removal)%20Decision.doc.

# **Comparison Between PSEO and Contracted Courses**

To help alleviate some confusion about the differences between PSEO courses and courses contracted for with a community college for which a district receives supplementary weighting, here is a repeat of a matrix of the key features that was first published in the May School Leaders Update:

	PSEO (lowa Code Chapter 261C)	District-to- Community College Sharing (Iowa Code § 257.11(3))	Student takes Postsecondary Courses on His/Her Own
CREDIT	Both secondary and postsecondary	Both secondary and postsecondary	Just postsecondary
Site	May be either at high school or postsecondary institution	May be either at the high school or community college	Postsecondary institution only
Transportation	Student's responsibility	District's responsibility	Student's responsibility
Who employs instructor	Postsecondary institution	Community college	Postsecondary institution
Financial information	District pays \$250 to postsecondary institution; receives no supplementary weighting dollars.	District receives supplementary weighting dollars; pays to community college whatever amount contracted for in the agreement between the district and community college.	District pays nothing and receives nothing; the student has enrolled on his/her own; these are neither PSEO nor district-to- community-college sharing courses.
Other	Course must be in postsecondary institution's catalog and taught using the postsecondary course syllabus.  Course must be open to all students of the postsecondary institution.  Course must be nonsectarian.  Course must supplement, not supplant, what the district offers.	Course must be in community college's catalog and taught utilizing the community college course syllabus.  Course must be open to all students of the community college.  Course must be nonsectarian.  Course must supplement, not supplant, what the district offers.	Typically, a student would take these courses at night or on a Saturday.  The district is not required to make any accommodation so that the student may enroll.  The student does not receive any secondary credit, so there is no restriction as to type of course the student may take.

### Athletic Eligibility Rule to be Re-visited

Last month, the State Board of Education voted to retain the present academic rule for eligibility for students to participate in sports. That rule, 281—IAC 36.15(2), known as "pass 4," states in pertinent part as follows: 36.15(2) **Scholarship rules.** 

c. All contestants shall be enrolled students of the school in good standing; they shall have earned 20 semester hours' credit toward graduation in the preceding semester and shall be making passing grades in subjects for which 20 semester hours' credit is given for the current semester as determined by local policy.

(The above is just one part of a much lengthier rule. The entire rule may be accessed at: http://www.legis.state.ia.us/Rules/Current/iac/281iac/28136/28136.pdf.)

Because Governor Vilsack expressed concern about this eligibility standard, the State Board plans to reconsider and vote again at its September 8 meeting.

**IT IS IMPORTANT TO NOTE** that any action taken on September 8 WILL NOT change the rule automatically. A formal rulemaking procedure must be observed and that process takes a minimum of 120 days before any change to a rule can be effective. <u>If</u> the State Board directs DE staff to start the process to change rule 36.15(2) to require "pass all," the tentative timeframe would be as follows:

November 16 State Board votes to submit the change for formal "notice"

Mid-December First hearing before the Administrative Rules Review Committee (ARRC) of the

Iowa Legislature

Jan. or Feb. Public hearing date

March 1 State Board formally adopts the change

Mid-March Second hearing before ARRC

2006-07 School Year Change is implemented

This publication will keep school administrators updated on action and opportunities to have input, and will provide specific dates when those dates are known. Note that any member of the public (including school administrators) may speak on this issue at any of the above hearings.

## **More on Constitution Day (September 17)**

Last month's item on this subject just stated that public schools must comply with the federal law that requires "educational institutions" to set aside one day on or near September 17 (which is a Saturday this year) to teach all students about the U.S. Constitution and about citizenship.

Specifically, the requirement applies to "each educational institution that receives federal funds." Supplementary information at <a href="http://www.ed.gov/legislation/FedRegister/other/2005-2/052405b.html">http://www.ed.gov/legislation/FedRegister/other/2005-2/052405b.html</a> states that "educational institutions" includes but is not limited to LEAs and institutions of higher learning. It would appear that AEAs must also comply with this law.

As the original item last month stated, the U.S. Department of Education's web site acknowledges that curriculum and course decisions fall outside federal authority. We also noted that the DE has no information about whether or how the federal government plans to enforce the law.

### More Sex Offender Registry (SOR) Information

The courts have upheld the 2002 lowa law that prohibits persons on the SOR from residing within 2000 feet of a school (public or nonpublic) or childcare facility. There is an exception to the residency restriction, as follows: An offender who is still residing at the same residence s/he was in at the time the law was passed does NOT have to re-locate. This is true even if there was no school or childcare facility at the time, but has since been built or licensed within 2,000 feet of the residence of a person on the SOR. The law is aimed at preventing sex offenders from *moving into* a prohibited space, not at kicking them out of a residence they occupied before July 1, 2002. Remember that schools have no enforcement authority regarding the residency restriction. The county sheriff should be informed if there is a violation or possible violation of this law.

Previous School Leader Updates have covered the following related topics: (1) the new definition of child abuse for mandatory reporters to be aware of regarding students who live with sex offenders (July 2005) and (2) a district's responsibility when one of its resident students is on the SOR (August 2005).

### **Have You Started Your Local Wellness Policy Process Yet?**

To help address concerns about increasing numbers of children being overweight, Congress has passed a law requiring each local educational agency participating in the USDA School Meal Programs establish a local wellness policy by the beginning of the 2006-07 school year. The Bureau of Nutrition Programs and School Transportation, in cooperation with IPTV, ISU Extension, and Iowa Partners for Healthy Kids, offered multiple training sessions in August, via the ICN and K-12 Connections. More than 1,300 school personnel and other members of school wellness policy teams participated in these sessions.

Based on requests, we know many others were unable to participate during the scheduled times; therefore IPTV has agreed to rebroadcast the original sessions several times throughout the fall. Each of the two sessions will be offered a number of times. For more information and to register online, go to the lowa Distance Learning Database web site K-12 Calendar to register and participate at no cost.

- The one hour Introduction to Local School Wellness Policies, <a href="http://www3.iptv.org/iowa\_database/event-detail.cfm?ID=5620">http://www3.iptv.org/iowa\_database/event-detail.cfm?ID=5620</a>, provides an overview of the requirements.
- The School Wellness Policy Process session, <a href="http://www3.iptv.org/iowa\_database/event-detail.cfm?ID=5616">http://www3.iptv.org/iowa\_database/event-detail.cfm?ID=5616</a> provides more detail on how to begin the process as well as panel members exploring what the policy means and how the policy may be shaped and implemented. (Note in both web addresses there is an underline between iowa\_database.)

DE contacts for questions about the wellness policy requirement are Janet Wendland (<a href="mailto:janet.wendland@iowa.gov">janet.wendland@iowa.gov</a>, 515/281-5676), Patti Harding (<a href="mailto:patti.harding@iowa.gov">patti.harding@iowa.gov</a>, 515/281-4754) or your assigned Bureau consultant. The Department is working with lowa Association of School Boards and lowa Partners for Healthy Kids to develop a sample policy and support materials including a suggested process to follow, online assessment tool to help districts get started, and samples of things to consider including in the policy. These materials will be disseminated early fall through IASB's normal process for sample policies. If you are looking for more information now, visit the Bureau website which includes a link to the USDA Local Wellness Policy website and lots of other resources <a href="http://www.state.ia.us/educate/ecese/fn/tn/localwp.html">http://www.state.ia.us/educate/ecese/fn/tn/localwp.html</a>.

### Team Nutrition Mini-Grant Applications are Due

Schools that are Team Nutrition schools and have attended a Team Nutrition workshop in the past several years are eligible to apply for mini-grants. Several types of mini-grants are available: student organization led activities, policy development, regular mini-grant activities, and a mentoring mini-grant. Interested schools can use the mini-grant applications posted to the Bureau of Nutrition Programs and School Transportation website at <a href="http://www.state.ia.us/educate/ecese/fn/tn/grant.html">http://www.state.ia.us/educate/ecese/fn/tn/grant.html</a>.

Questions? Contact Janet Wendland at janet.wendland@jowa.gov or 515/281-5676.

#### Food Safety HACCP Process Approach Requirement Beginning with 05-06 Year

The Child Nutrition and WIC Reauthorization Act of 2004 (Public Law 108-265) requires that School Food Authorities implement a Hazard Analysis Critical Control Point (HACCP) type system. On June 10, USDA issued Guidance for School Food Authorities; Developing a School Food Safety Program Based on the Process Approach to HACCP. Hard copies of this guidance were mailed to all school districts participating in the school meal programs. Please be sure the School Food Service Director or other appropriate individual(s) within the District have received this information and are beginning to implement this new requirement.

The DE did not receive additional copies of this guidance. Districts that need additional copies can go to the USDA web site at <a href="http://www.fns.usda.gov/cnd">http://www.fns.usda.gov/cnd</a>; look under school food safety for a copy of the memo and the guidance. The DE is in the process of identifying the best options for assisting school districts with this new requirement and will be issuing a detailed memo including a Q&A regarding the Food Safety area within the next few weeks.

# **Deadlines and Dates to Remember**

The K-12 Critical Due Dates Calendar is at http://www.state.ia.us/educate/calendars/critical.html.

September 12 School Budget Review Committee

September 18-20 Implementing Positive Behavior Supports, Ames

October 10-11 Iowa Talented & Gifted Association Conference, Des Moines

January 23-24, 2006 Statewide High School Summit, Des Moines

SCHOOL LEADER UPDATE is produced monthly by the lowa Department of Education for school leaders of lowa. Comments and submissions should be sent to Kathi Slaughter, 515/281-5651, kathi.slaughter@iowa.gov.